

REMARKS

Claims 1–14 are pending in this application. By this Amendment, claims 5–14 are added and paragraphs [0006], [0023], [0026] and [0027] are amended. Support for new claim 5 can be found, for example, in paragraphs [0006] and [0023] and Figs. 2–4. Support for new claims 6–8 and 11–13 can be found, for example, in paragraph [0019] of the specification. Support for new claims 9 and 14 can be found, for example, in paragraph [0021] and Fig. 2 of the specification. Support for new claim 10 can be found, for example, in paragraph [0021]. Support for the amendments to paragraphs [0006] and [0023] can be found, for example, in Figs. 2–4. Support for the amendments to paragraphs [0026] and [0027] can be found, for example, in paragraph [0025] and Figs. 3 and 4. No new matter is added. Applicants respectfully request reconsideration and prompt allowance in view of at least the following remarks.

The Office Action objects to Fig. 3 for allegedly failing to illustrate sidewall 34 (presumably 24) as a recessed surface. Applicants respectfully traverse the objection.

Fig. 3 includes reference numerals representing the radius of curvature R_{21} and the sidewall 24. Because Fig. 3 includes reference numerals for the radius of curvature R_{21} , Fig. 3 sufficiently discloses a curved surface with a radius of curvature R_{21} and that is recessed toward the inside of the container. Additionally, the line representing the sidewall 24 has a slight curve at the arrow representing the radius of curvature R_{21} , which extends from the annular groove 24a to the bottom face region 25. Therefore, Fig. 3 sufficiently discloses a curved surface and Applicants respectfully request withdrawal of the objection.

The Office Action objects to Figs. 2–4 and indicates that the broken line characterizations are not understood. Specifically, the Office Action alleges that the broken lines do not contact the sidewalls 14, 24 and 34 and, therefore, cannot be representative of the sidewalls. Applicants respectfully traverse the objection.

The specification describes, for example, the sidewall 14 as being "formed of a curved surface recessed toward the inside of the bottle container 10" (Specification at paragraph [0020]). The specification further recites "the sidewall 14 at the heel portion H_{10} is constituted of a curved surface having a radius of curvature R_{11} and connected to the sidewall of the body portion 12 through a curved surface having a radius of curvature R_{10} " (Specification at paragraph [0021]). The "curved surface having a radius of curvature R_{10} " is not labeled with a reference number in the figures or in the specification. However, based on the above disclosure, the sidewall 14 includes the curved surface having a radius of curvature R_{11} and the curved surface having a radius of curvature R_{10} .

For the sidewall 14 to be "recessed toward the inside of the bottle container 10," the curved surface having a radius of curvature R_{10} must be part of the sidewall 14 because the radius of curvature R_{10} causes the inward recession that forms the recessed area. The phantom sidewalls illustrated in Fig. 2–4 are extensions of the curved surfaces with a radius of curvatures R_{10} , R_{20} and R_{30} . Therefore, the phantom sidewalls illustrated in Figs. 2–4 are representative of the sidewalls 14, 24 and 34 and support the features of the "heel portion" recited in claim 1 so that the bottom face region is "bulged toward the outside of said bottle container relative to said sidewall." Accordingly, Applicants respectfully request withdrawal of the objection.

The Office Action objects to the drawings and the specification for containing elements R_{20} and R_{30} in Figs. 3 and 4, respectively, without providing a description of the elements in the specification. Paragraphs [0026] and [0027], which describe embodiments similar to the first embodiment that describes the radius of curvature R_{10} , are amended to describe the radius of curvatures R_{20} and R_{30} . Accordingly, Applicants respectfully request withdrawal of the objection.

The Office Action rejects claims 1, 2 and 4 under 35 U.S.C. §103(a) over Japanese Patent Application Publication No. 10-139029 (Sugiura). Applicants respectfully traverse the rejection.

The Office Action recites "[t]o the extent that a bulge toward the outside is a convex curve as shown at 44 in Figure 7 [of the current application], Sugiura is considered to show the same bulge construction at 3a in Figure 1 with the sidewall recess not numbered above it and the groove 3c" (Office Action at page 4). Importantly, Fig. 7 of the specification illustrates a thin-walled bottle container 40 according to a comparative example and is not an embodiment of the claims. Accordingly, any similarity between the features illustrated in Fig. 7 and the features disclosed in a reference does not support the anticipation of the claims. Additionally, the description of Fig. 7 in paragraph [0029] fails to illustrate "a bottom face region formed of a curved surface continuous to said sidewall and bulged toward the outside of said bottle container relative to said sidewall," as recited in claim 1.

Further, Figure 1 of Sugiura does not disclose "a bottom face region formed of a curved surface continuous to said sidewall and bulged toward the outside of said bottle container relative to the sidewall," as recited in claim 1. Rather, the submergence section 3a of the hollow container 1 is a continuation of the wall 3 with the non-labeled groove between. Because the submergence section 3a is a continuation of the wall 3, the submergence section does not bulge toward the outside of the hollow container relative to the wall 3.

Accordingly claim 1 is patentable over Sugiura. Further, claims 2, 4 and 6-9 are also patentable, at least in view of the patentability of claim 1, as well as the additional features the claims recite. Therefore, Applicants respectfully request withdrawal of the rejection.

The Office Action rejects claim 3 under 35 U.S.C. §103(a) over U.S. Patent No. 4,372,455 (Cochran). Applicants respectfully traverse the rejection.

This rejection is premised upon the presumption that Siguira discloses all of the features of claim 1. Because, as discussed above, Sugiura does not disclose all of the features of claim 1, the rejection is improper. Applicants respectfully request withdrawal of the rejection.

Applicants also submit that claim 5 is patentable, at least in view of its dependency on claim 2, as well as for the references failing to disclose "wherein the bottom face region connects the sidewall and the rising region and is in the shape of an inverted R." Support for this recitation can be found in paragraphs [0006] and [0023], which are amended to describe the shape of the bottom face region in Figs. 2–4, which are part of the original disclosure.

Claim 10 is also patentable, at least in view of the failure of Sugiura and Cochran, individually and in combination, to disclose or render obvious, for example, "a sidewall having a curved surface that is recessed toward the inside of said container" and "a bottom face region formed of a curved surface that is smoothly continuous with said curved surface of the sidewall and bulged toward the outside of said bottle container." Claims 11–14 are also patentable, at least in view of the patentability of claim 10, from which they depend, as well as the additional features the claims recite.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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